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JAN 13 2006

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/605,090	
	Filing Date	9/3/03	
	First Named Inventor	WILHELM HABERKORN	
	Art Unit	3751	
	Examiner Name	Charles Phillips	
Total Number of Pages in This Submission	2	Attorney Docket Number	

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature	W.A. Haber Korn		
Typed or printed name	W.A. HABERKORN	Date	1-13-05

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January 13, 2006

In regards to: Patent Application 10/605,040

Mail Stop Petitions

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450
FAX: (571) 273-8300

Dear Commissioner:

SUBJECT: UNINTENTIONAL DELAY

Failure to understand the required process on my part resulted in an **unintentional delay** at the Patent Office, and an abandonment of my referenced patent application. On 8/16/2005, a Notice of Allowance was issued with **No Fees Due**. I wrongly assumed, that no response on my part was required to achieve publication of said application.

Because of this misunderstanding, I am charged \$750 to file a petition to revive my patent application. My error was not to FAX a single sheet of paper, part B fee transmittal with **no fee due**, to another unit within your organization. I find this penalty excessive.

Let me suggest an alternate solution. Let us assume the Patent Office would have charged some administrative fee, say \$10, in the Notice of Allowance on 8/16/2005, and then I would have returned the payment post haste and avoided the penalty all together.

I have seen tremendous progress and simplification over the past few years in dealing with the Patent Office, and I hope that this letter supports your efforts to un-clutter administrative processes.

Sincerely,



Wilhelm Haberkorn